

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

SEDRICK PERRY,	§	
Petitioner,	§	
	§	
v.	§	C.A. NO. C-05-415
	§	
DOUG DRETKE, DIRECTOR,	§	
TEXAS DEPARTMENT OF	§	
JUSTICE – INSTITUTIONAL	§	
DIVISION,	§	
Respondent.	§	

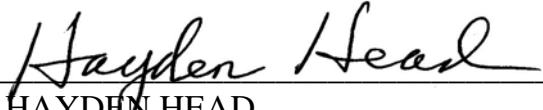
**MEMORANDUM OPINION AND ORDER GRANTING RESPONDENT'S
MOTION FOR SUMMARY JUDGMENT**

On April 24, 2006, the United States Magistrate Judge filed her Memorandum and Recommendation in this cause (D.E. 21). Objections were timely filed (D.E. 22), but are without merit. Having reviewed *de novo* the Magistrate Judge's Memorandum and Recommendation and the pleadings on file, this Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, respondent's Motion for Summary Judgment (D.E. 19) is granted and petitioner's cause of action for habeas corpus relief is dismissed without prejudice so that he may seek authorization from the Fifth Circuit to file a second or successive petition. If

petitioner seeks a certificate of appealability, his request is denied.

ORDERED this 3 day of August, 2006.



HAYDEN HEAD
CHIEF JUDGE